

Professor Amos Perlmutter ("More words than deeds on Kazakhstan?" in the Washington Times of October 4, 2000), detailing how the Clinton-Gore Administration has dropped the ball in promoting democracy and respect for human rights in Kazakhstan.

Time after time, Kazakhstan's ruthless and corrupt President, Nursultan Nazarbayev, has made promises to Vice President GORE and others in the Administration and has then failed to deliver on those promises. And so, as Professor Perlmutter puts it, the Nazarbayev regime continues its campaign of "relentlessly destroying the opposition, closing the free press and involving itself in corrupt schemes."

It should have been possible for the United States, which has had the support of the Organization for Security and Cooperation in Europe as well as numerous non-governmental human rights organizations, to insist that Nazarbayev fulfill the promises he made on human rights and free elections as a price for legitimacy in American eyes. Sadly, however, it seems clear that the Clinton-Gore Administration has pulled its punches, because it wants oil rich Kazakhstan's support for an oil pipeline that does not go through Russia. What is particularly troublesome in this regard is that the United States should not be turning a blind eye to repression and corruption in order to persuade Kazakhstan to do something that is in its interest in any event.

Mr. Speaker, I submit Professor Perlmutter's article for the RECORD.

[From the Washington Times, Oct. 4, 2000]

MORE WORDS THAN DEEDS ON KAZAKHSTAN?

(By Amos Perlmutter)

The Clinton-Gore administration relationship with Nursultan Nazarbayev's corrupt dictatorship in Kazakhstan is, once again, making news. Not without reason.

The case is that the administration failed to defend political freedom and free enterprise in Kazakhstan. They talked the talk without walking the walk when it came to challenging the Nazarbayev dictatorship.

Promises from Mr. Nazarbayev went unfulfilled. The administration failed to support the claims of human rights organizations, non-government organizations (NGOs), and the OSCE that the Nazarbayev government is not only failing to undergo democratic changes as a price for support from the United States, but also is relentlessly destroying the opposition, closing the free press and involving itself in corrupt schemes.

The effort to support this regime was conceived in conformity with the American national interest. After all, there are three reasons for U.S. strategic interest in Kazakhstan: oil, nukes and independence. Kazakhstan has been one of the Soviet Union's major oil reserves, and continues to be a most significant oil reserve and also a Caspian littoral state. Josef Stalin made Kazakhstan a Soviet nuclear arsenal.

Independence was the goal of both the Bush and Clinton administrations, to strengthen Central Asia non-Russian Muslim states, and to move them in the direction of democracy and free enterprise. There was a tacit strategic purpose in separating Kazakhstan from Russia's historical imperial linkages (an exercise in futility). Kazakhstan is the most Russified Central Asian state, with close to 30 percent of its population Russians who serve as the main scientific, industrial and business elite.

However, the Clinton administration sank into the pool of oil that inadvertently led to the most serious corruption of the Nazarbayev dictatorship by failing to resist

the dictatorship. One of the administration's major foreign policy goals was humanitarian intervention to help bring an end to former communist dictatorships in the former Soviet Union and the Balkans.

In fact, the administration conducted a "humanitarian war" in Kosovo. The idea of a humanitarian and exemplary intervention, i.e. support of opposition groups in Kazakhstan, free press, and democracy was sacrificed, unfortunately, to the pool of oil.

The administration was not directly involved in support of the dictatorship. But it failed to vigorously resist the Nazarbayev violation of human rights, dissolution of the Kazakh parliament on two

In defense of the administration you could say diplomatic gobbledygook and securing unfulfilled promises from Mr. Nazarbayev was unfortunately subordinated to oil and nuclear strategic policies. The embassy in Kazakhstan continuously reported to the U.S. State Department on Mr. Nazarbayev's violations of human rights.

In fact, the OSCE, human rights groups, non-government organizations (NGOs), and other groups have warned the administration and continuously protested Mr. Nazarbayev's dictatorship and suppression of freedom in Kazakhstan. Leon Fuerth, Vice President Al Gore's national security adviser, and his assistant, Richard Brody, met on Sept. 15, 1999, at the Old Executive Office Building to discuss the upcoming visit of President Nazarbayev to the United States. Attending were several people from the State Department, regional and human rights bureaus, as well as the Human Rights Foundation, and the Kazakhstan 21st Century Foundation.

Mr. Fuerth was on the defensive throughout the meeting, as the various representatives pressed hard the argument that the meeting was a mistake at that time, since Mr. Nazarbayev would interpret it as an endorsement of his behavior. According to one of the participants, Mr. Fuerth was unpersuasive and ineffective in defending the purpose for the visit of Mr. Nazarbayev to the United States.

The issue at stake was Kazakhstan's MiG sales to North Korea and the failure of democracy. When Mr. Nazarbayev promised Mr. Gore the next election "would be better," the OSCE report on the 1999 elections in Kazakhstan were still pending. Mr. Fuerth said at the meeting, "We will adopt its [OSCE's] findings as leverage on Nazarbayev." Mr. Fuerth continued, "Our government has been saying repeatedly, and the vice president personally, pay attention to what the monitors are saying about your, i.e. Nazarbayev's, elections." Mr. Fuerth said Mr. Nazarbayev is "not your poster boy" for democracy and freedom. Mr. Fuerth said, "Gore sees his personal relationship as essential to prodding Nazarbayev toward democracy."

America's goals include, says Mr. Fuerth, "carrying Kazakhstan to a modern self-sustaining state at every level of societal concern. . . . We are into their affairs at a fantastic level of detail, and that is only

Mr. Fuerth continued to say the United States must persuade them to "more and more perfect democracy," and he is "perfectly aware of the imperfections." According to Mr. Fuerth, Mr. Gore's message is "Democracy is on the agenda. Democracy is not our idiosyncrasy." He describes Mr. Gore's agenda as follows: "Democracy and elections are essential parts of the relationship Nazarbayev wants with the U.S. Gore will explain why a valid election is indispensable if he [Mr. Nazarbayev] wants the relationship he seeks."

After meeting with the president, Mr. Nazarbayev went back home and continued in his oil-mired practices, human-rights vio-

lations and the creation of his position as president for life.

Since Mr. Gore was given the portfolio on Russia and the independent states of the former Soviet Union, the essential difference between what the Cox Report finds in the case of Russia and the administration policy toward Kazakhstan is that in the case of Russia it was mired with good intentions for reform that turned sour because of support for Boris Yeltsin's corrupt, undemocratic government. You cannot tell Russia, a major power, what to do, while the situation in Kazakhstan was totally different.

Not only was the United States in the position to help implement the recommendations for democracy and freedom in Kazakhstan, it coddled the dictator and made no impact whatsoever or follow up on the promises made by Mr. Nazarbayev to Mr. Gore to advance the democracy in Kazakhstan.

In the case of Kazakhstan, the United States was in a stronger position than in Russia, with the support of OSCE, multiple human rights organizations and NGOs, to impose upon the dictatorship to implement their promises made on human rights and free elections as a price for legitimacy in American eyes.

They did not do it. The administration tacitly accepted Mr. Nazarbayev's defense that there is an emergent democracy in Kazakhstan and it is a question of "time."

It seems the Clinton-Gore administration did not try very hard to institutionalize and implement their commitments to democracy, free elections, and an open press in the case of Kazakhstan.

MOTOR VEHICLE FRANCHISE CONTRACT ARBITRATION FAIRNESS ACT OF 2000

SPEECH OF

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 3, 2000

Mr. BENTSEN. Mr. Speaker, I rise in strong support of legislation I cosponsored, H.R. 534, the Fairness and Voluntary Arbitration Act. This important legislation addresses an imbalance in the relationship between automobile manufacturers and automobile dealers.

Today, motor vehicle manufacturers regularly force small business auto and truck dealers into mandatory binding arbitration clauses by including the clauses in non-negotiated dealer agreements. Under the current system, automobile and truck dealers have no choice but to accept mandatory binding arbitration provisions in franchise agreements provided by motor vehicle manufacturers. These "take it or leave it" contracts undermine the "freedom to contract," a tenet of modern commercial law, and run counter to basic principles of fairness.

H.R. 534 would make arbitration of dealer-manufacturer disputes totally voluntary. H.R. 534 does not prohibit arbitration but rather seeks to make arbitration one of several avenues to dispute resolution. H.R. 534 makes arbitration one of several fair choices that both

parties may willingly and knowingly select. I believe that we should reject the one-size-fits-all approach of arbitration and recognize that there are less expensive, more efficient, non-judicial modes of dispute resolution like mediation and other types of informal negotiation.

Under the current system, legitimate state protections are unavailable for dealers because of overly broad federal policy favoring arbitration. The landmark Supreme Court case, *Southland Corporation v. Keating*, 107 S. Ct. 852 (1984), established that federal law preempts state laws that prohibit mandatory binding arbitration in adhesion contracts or prohibit waivers of judicial or administrative remedies of a contract. Preemption prevents states from enforcing protective laws that limit or regulate unfair arbitration practices in contracts, despite the fact that enforceability of private contracts is ordinarily a question of state law. These arbitration clauses substantially deteriorate dealers' rights and remedies as provided under protective state franchise laws.

Mr. Speaker, the federal government has no business dictating the terms of contracts between small business auto and truck dealers and automotive manufacturers. Accordingly, I urge my colleagues to join me in support of H.R. 534, legislation to untie the hands of small business auto and truck dealers in their negotiations with automotive manufacturers.

TRIBUTE TO THE REVEREND JOHN ALPHONSO FERGUSON FOR A CAREER OF SERVICE

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mrs. MEEK of Florida. Mr. Speaker, the Reverend John Alphonso Ferguson is the founding pastor of the Second Baptist Church of Richmond Heights, in my Congressional District. On Saturday, October 28, 2000, our entire community and Rev. Ferguson's friends, admirers and members of his congregation will gather at the Dadeland Marriott Hotel to wish him Godspeed upon his retirement after 36 years of service.

Ordained a minister at the First Baptist Church of Logan Park in Norfolk, Virginia on November 17, 1959, he moved in 1961 to Florida to establish the Second Baptist Church in South Dade's Richmond Heights community. Amidst the countless sermons he preached, the baptisms and christenings he presided over, and the weddings and funerals he performed, Reverend Ferguson was likewise indefatigable in reaching out to the schools and homes, hospitals and community organizations that sought and obtained his sage advice and wisdom.

The longevity of his pastorate in the vineyard of the Lord truly represents a stewardship that is inspiring. He remarkably transformed the Second Baptist Church into one of the most active congregations in Miami-Dade County. His role as spiritual leader and consummate activist has immensely enlightened and guided church members as they tackle the agenda of participatory government based on their God-given conscience and responsibility.

It is fitting for us to pause and reflect on the role that Reverend Ferguson played in the

day-to-day affairs of our community during the last 36 years. He has truly personified the example of Christ as the Good Shepherd, leading his flock to become "... the light of the world and salt of the earth" through his preaching of God's word and spreading the good news of the gospels.

I am privileged to enjoy his friendship and confidence, and I will always be grateful for his example of leading us to live by his noble ethic of always loving God through the service of our fellow human beings, especially those who could least fend for themselves.

The testament of his faithful consecration to our community's well-being buttresses the noble legacy he now leaves with us. I extend to him the thanks of our community for a job well done and our best wishes for a well-deserved retirement.

A TRIBUTE TO ST. KATHERINE DREXEL

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. FORBES. Mr. Speaker, seventy years ago, Katherine Drexel visited the pristine coastline of Wading River, Long Island at the request of the Reverend Bernard Quinn, who wanted to help her in creating an orphanage for homeless African American children from New York City. So moved by the beauty of the vista and the dire need for the orphanage, Mother Katherine Drexel sent four nuns from the order she created, the Sisters of the Blessed Sacrament for Indians and Colored People, to teach at the Little Flower Institute.

Little Flower was established in 1930 after much opposition from the local residents. It was burnt down twice under mysterious circumstances. Despite the obstacles, Little Flower has grown to one of the largest foster care agencies in New York, providing services to approximately 2,500 children. Death, illness, poverty and substance abuse have claimed the innocence of so many of Little Flower's children. However, all of the people that have been involved in the institute, have given children a ray of hope and a new beginning for over 70 years.

Little Flower is just one of nearly 300 missions and schools, Katherine Drexel built. Rejecting the life of a socialite and donating her riches to "the cause of uplifting Indians and Colored People," she dedicated herself to a life of poverty and helping those who needed her the most. She was a woman who was ahead of her time. She afforded people of downtrodden races the respect and love that most others could not. Mother Drexel looks past the color of a person's skin and looks to the inside and the true humanity of each and every person she met.

This week, after the Catholic Church ascribed two miraculous cures of deafness, Mother Katherine Drexel became St. Katherine. She was canonized by Pope John Paul II and joins only three other American saints.

St. Katherine has touched the lives of so many. So many children at Little Flower and other schools throughout the country. So many who had been abandoned by society and left to fend for themselves. So many who

needed a person to see the goodness in all. So many who needed and were helped by St. Katherine Drexel.

REPUBLIC OF CHINA'S NATIONAL DAY

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. ORTIZ. Mr. Speaker, on behalf of my constituents I wish to extend my best wishes and congratulations to the people of the Republic of China on the occasion of their forthcoming national day.

The Republic of China on Taiwan is a genuine democracy and its people enjoy one of the highest standards of living in the world. It is my belief that the story of Taiwan needs to be told again and again.

Meanwhile, best of luck to president Chen Shui-Bian of the Republic of China.

CONGRATULATING THE MIDWAY, TEXAS, ALL-STARS LITTLE LEAGUE SOFTBALL TEAM FOR WINNING THEIR FOURTH CONSECUTIVE WORLD SERIES

HON. CHET EDWARDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. EDWARDS. Mr. Speaker, today I wish to congratulate the Midway All-Stars little league softball team for taking home the trophy for the Girls' Little League Softball World Series.

On August 19th, these young women, ages 11 and 12, ended another outstanding season. The Midway girls are eight-time world champions, having also won the world title in 1997, 1998 and 1999. They also were world champions from 1992-1995.

I think it is safe to say that the team dominated in the 1990s and has already captured the first championship in the new millennium. The latest Midway girls' triumph was international in scope as teams from the Philippines, Germany, Canada and the United States competed for the title of world champion.

Before heading to the championships, this year's squad had to get through teams at the district, sectional, state, and southern region levels. The team consists of girls from the small community of Hewitt/Woodway right outside of Waco in the heart of Texas' 11th Congressional District.

Members of this world championship team include Ashley Davilla, Rachel Fahlenkamp, Courtney Heard, Kacy Horn, Emily Lindsey, Hannah McGrew, Destinee Mordecai, Bethany Northern, Amanda Pack, Natalie Pendley, Rebecca Pryor, Brandi Rawls, Kelsey Sage, Elissa Stiba.

These young ladies have shown what it takes to win: teamwork, hard work, self-discipline and commitment. These same qualities will continue to serve them throughout their lives.

The team was very capably led by a coaching staff that includes Randy Sage, Kyle